

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JUSTIN CARRINO,

Petitioner,

21 **CIVIL** 5909 (VB)

-against-

JUDGMENT

STEWART ECKERT, Superintendent,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated June 30, 2023, having carefully reviewed Judge Davison's thorough and well-reasoned R&R, petitioner's objections, and the underlying record, the Court finds no error, clear or otherwise, in the R&R. Accordingly, the Court has adopted the R&R as the opinion of the Court, and the petition for a writ of habeas corpus is DENIED. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c)(2); *Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

Dated: New York, New York
July 5, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk